

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BEN HARBOR,)	
)	
Plaintiff(s),)	No. C05-5211 MMC (BZ)
)	
v.)	
)	ORDER
)	
ALAMEDA-CONTRA COSTA TRANSIT)	
DISTRICT,)	
)	
Defendant(s).)	
)	
_____)	

On August 10, 2007, I issued an Order directing both parties to show cause why they should not be held in contempt of court or otherwise sanctioned for not lodging settlement conference statements, not responding to an Order Re Overdue Papers and not appearing at the settlement conference. On August 17, 2007, counsel for both parties filed a joint response attributing the failures to a combination of a desire to continuing the underlying matter because of a pending arbitration proceeding, sloppy calendaring and personal distractions. The court is not wholly satisfied with this explanation, particularly the failure of either side to notify

1 the court in response to the overdue papers order that the
2 parties did not intend to appear. This caused the court to
3 waste substantial time and effort in connection with the
4 conference.

5 Presently there is a hearing on the Order To Show Cause
6 scheduled for **September 5, 2007**. If counsel wish to avoid the
7 hearing, each counsel may contribute **\$250.00** to **St. Anthony's**
8 **Dining Room**, 121 Golden Gate Avenue, San Francisco, CA 94102 or
9 **Glide Memorial Church Food Program**, 330 Ellis, San Francisco, CA
10 94102. If proof of payment is received in chambers on or before
11 **August 30, 2007**, the Order To Show Cause will be discharged and
12 there will be no need for a hearing.

13 Dated: August 21, 2007

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15 _____
16 Bernard Zimmerman
17 United States Magistrate Judge

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